

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

|               |   |                       |
|---------------|---|-----------------------|
| PUGGI VASQUEZ | ) |                       |
|               | ) |                       |
| v.            | ) | Civ. No. 04-40205-NMG |
|               | ) |                       |
| UNITED STATES | ) |                       |

**RESPONDENT'S MOTION TO ENLARGE TIME TO RESPOND TO SECTION 2255**

Now comes the United States of America, by its attorneys, Michael J. Sullivan, United States Attorney, and David Hennessy, Assistant U.S. Attorney, and hereby moves to enlarge the time to respond to a petition filed in the above-referenced case for relief under 28 U.S.C. § 2255, by 90 days.

As grounds therefor, the government states as follows:

1. Vasquez pleaded guilty pursuant to an agreement to Conspiracy to distribute a controlled substance and other offenses. Vasquez agreed to cooperate with the government. After his plea, but before sentencing, he absconded. He surrendered and in or about March 2002, he was sentenced to 87 months imprisonment.

2. Vasquez appealed his conviction and it was affirmed. He then filed a Section 2255 petition. By Order dated May 16, 2005, this Court has ordered the Government to respond to the petition in 20 days.

3. The government moves for a 90 day continuance to respond. Counsel for the government is engaged in the trial of a wiretap case, United States v. Tyrone William, 03-40024-FDS,

which began on May 23, 2005. The case has been submitted to the jury. In addition, counsel for the government is simultaneously preparing for trial in United States v. Alexis Morales, 04-40019-FDS, commencing on June 6, 2005. Finally, counsel for the government is scheduled to respond to at least five 2255 petitions within the eight weeks: United States v. Dellosantos, 04 CV 11624-NMG, due June 23, 2005; United States v. Robert Rodriguez, 04 CV 11869-NMG, due June 23, 2005; Richard Ruiz v. United States, 03 CV 40058-NMG (supplemental petition; due June 26, 2005); United States v. Gonzalez, 05 CV 10709-NMG, due July 14, 2005; and Albert Johnny Torres v. United States, 05 CV 40018-NMG, due July 14, 2005.

4. Vasquez is currently serving a sentence of 87 months. According to the Bureau of Prisons Website, his release date is scheduled for May 10, 2008. The government respectfully submits that allowing this motion will not adversely affect his rights.

5. No prior motion for a continuance has been made.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: /s/ David Hennessy

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David Hennessy  
Assistant U.S. Attorney

ss. Worcester

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served by U.S. Mail on this 31st day of May, 2005 on Puggi Vasquez, FCI Fort Dix, Unit 5751, P.O. Box 2000, Fort Dix, New Jersey, 08640-0902.

/s/ David Hennessy  
David Hennessy  
Assistant U.S. Attorney